

NOTICE

**PROGRAM FOR FACSIMILE SERVICE OF NOTICE
TO COUNSEL OR LITIGANTS IN CIVIL AND CRIMINAL CASES**

The Court has authorized the Clerk of Court to implement a pilot program in civil and criminal cases to allow attorneys and pro se litigants to waive the provisions of Federal Rule of Civil Procedure 77(d) or Federal Rule of Criminal Procedure 49(c), which requires service of Notice of Orders and Judgments by means of mail, and instead consent to receive Notice of Orders and Judgments by means of facsimile transmission.

This notice is being sent to you because you either represent a party or are a party to litigation currently pending in this district. Enclosed please find a form of Consent to Receive Notice of Orders and Judgments by means of Facsimile Transmission and Waiver of the Provisions of Fed.R.Civ.P. 77(d) or Fed.R.Crim.P. 49(c) Providing for said Notice by means of Mail. Execution of this enclosed Facsimile Transmission Authorization form authorizes the Clerk of Court to serve notice of the entry of Orders or Judgments pursuant to Fed.R.Civ.P. 77(d) or Fed.R.Crim.P. 49(c) by facsimile in lieu of notice by means of mail. Please be advised that this enclosed Facsimile Transmission Authorization form also serves as Notice to and Authorization for the Clerk of Court to keep your name and the relevant information on file so that the Facsimile Transmission Authorization form will apply to all pending and future civil and criminal cases in which you are, or will be, either counsel or a party to litigation.

You are requested to complete the enclosed Facsimile Transmission Authorization form and return it to this office. Please be advised that waiver of the provisions providing for notice of the entry of Orders or Judgments by mail will include all pending civil and criminal cases in the Eastern District of Pennsylvania in which you either represent a party or are a party to the litigation, except for grand jury proceedings and impounded cases.

Please also be advised that the Clerk of Court shall make no more than three attempts to transmit the Notice of Entry of Orders and Judgments by means of facsimile. If after three attempts facsimile transmission is unsuccessful, Notice shall be made by means of mail pursuant to Fed.R.Civ.P. 77(d) or Fed.R.Crim.P. 49(c).

Thank you for your willingness to consider participating in this program. Should you have any questions concerning this notice, please contact Susan Matlack at (267) 299-7051.

Michael E. Kunz
Clerk of Court

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

**CONSENT TO RECEIVE NOTICE OF ORDERS AND JUDGMENTS IN CIVIL AND
CRIMINAL CASES BY MEANS OF FACSIMILE TRANSMISSION
AND WAIVER OF PROVISIONS OF FED.R.CIV.P. 77(d) OR FED.R. CRIM.P. 49(c)
PROVIDING FOR SAID NOTICE BY MEANS OF MAIL**

TO THE CLERK OF COURT:

I hereby waive the provisions of Fed.R.Civ.P. 77(d) or Fed.R.Crim.P. 49(c) providing for notice of the entry of Orders or Judgments by mail in the manner provided by Fed.R.Civ.P. 5 or Fed.R.Crim.P. 49(c), and consent that notice may be given to me, in all pending and future civil or criminal cases in which I enter my appearance, by the Clerk of Court by facsimile in lieu of notice by means of mail. I understand that this form, when executed, will serve as Notice to and Authorization for the Clerk of Court to keep this information on file for all pending and future civil or criminal cases in which I enter my appearance.

I hereby confirm, by execution of this form, that I understand that it is my responsibility to notify the Clerk of Court, in writing, of my current address and facsimile number.

Name (Printed)

Bar Id Number

Address (Printed)

Telephone Number

Address (Printed)

FAX Number

Signature

Date